



CLASP

COLLABORATIVE LAW ASSOCIATION of
SOUTHWESTERN PENNSYLVANIA

FAMILIES DON'T BELONG IN COURT

The Collaborative Law Association of Southwestern Pennsylvania is a community of collaboratively trained legal, financial and mental health professionals who believe teamwork, transparency, and cooperation are generally the best avenues through which conflict is resolved. By choosing to participate in the Collaborative Process, you can avoid traditional court litigation.

WHAT IS COLLABORATIVE LAW?

Collaborative practice is a customized, client-centered process through which families resolve divorce, child custody, and other legal issues respectfully and efficiently, avoiding litigation and focusing on solutions to meet each family's unique needs.

IS IT FOR ME?

The Collaborative Process respects your privacy, financial resources, values and time. All participants work together in a transparent, structured, and supportive environment.

WILL I STILL NEED AN ATTORNEY?

Yes, each party is represented by a collaboratively trained attorney.

WHAT OTHER PROFESSIONALS ARE INVOLVED?

The team may include neutral financial and mental health professionals and other experts to assist with challenges that many families encounter including legal, financial, communication, and parenting issues.

HOW CAN I LEARN MORE?

CLASP members offer a free 30-minute consultation to help you choose the best process option available to resolve your divorce or other legal matters. Visit our website at www.clasplaw.org and click on "Find a Collaborative Practitioner."



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DIVORCE PROCESS OPTIONS:

	COLLABORATIVE	MEDIATION	LITIGATION
Who Controls the Outcome	You and your spouse control the outcome of the process.	Mediator assists you and your spouse in reaching an agreement.	Judge controls process and makes final decisions.
Flexibility	Ability to think outside of the box and fashion outcomes tailored to your family's best interests.	Ability to customize options and be flexible.	Limited as judges are required to follow specific rules which may not be ideal in every situation.
Degree of Adversity	Both contractually pledge mutual respect, full financial disclosure and information sharing.	It is hoped that both parties will be respectful and share information with each other.	Court process is based on an adversarial system.
Use of Outside Experts	Skilled professionals are present at the table to provide information and guidance to reach mutually beneficial solutions.	Depends on experience and/or comfort level of the mediator to bring in outside experts.	Separate experts are hired to defend positions and find fault, often at great expense to each party.
Impact on Children	Minimized, as the needs of children remain central to decision making.	Minimized, as the needs of children remain central to decision making.	Often overlooked, children may be used as pawns in the legal proceedings.
Involvement of Attorneys	Your attorneys work toward a mutually created settlement to benefit both parties.	Mediator cannot advocate for either spouse or prepare legal documents. Clients should each have an attorney to discuss legal aspects that arise during sessions.	Arguments and conflicts often become heightened as attorneys fight to win, but someone loses.
Facilitation of Communication	Team of collaborative specialists educate and assist you and your spouse on how to effectively communicate with each other.	Mediator educates and assists you and your spouse on how to effectively communicate with each other.	Communication between parties is discouraged and opportunities to express concerns are limited, indirect, filtered and subject to delays.
Privacy	The process and discussion or negotiation details are kept private and confidential.	The process and discussion or negotiation details are kept private and confidential.	Dispute information becomes a matter of public record.
Cost	Costs are manageable, usually less expensive than litigation; team model is financially efficient in use of experts.	Costs are manageable; typically provides the least amount of professional support.	Costs are unpredictable and can escalate rapidly including frequency of post-judgement litigation.
Voluntary vs. Mandatory	Voluntary	Voluntary	Mandatory if no agreement.
Timetable	You and your spouse create the timetable with guidance from the team.	You and your spouse create the timetable.	Judge sets the timetable; often delays given crowded court calendars. Could take years for trial and appeals.